37th Judicial Circuit Court Family Division Friend of the Court

How to fill out the Pro Per Packet Modification of Custody, Parenting Time and Child Support Orders

This presentation is designed to assist you in understanding how to fill out the purple Pro Per Packet entitled: Modification of Custody, Parenting Time and Child Support Orders.

You will need to obtain the following items in order to complete this packet:

1) A copy of the purple Pro Per Packet Entitled: **Modification of Custody, Parenting Time and Child Support Orders**. This is available free of charge from the Calhoun County Friend of the Court Office or on the web at:

www.calhouncountymi.gov/Departments/FriendOfTheCourt/Forms.html

2) A copy of your court papers from your divorce, separate maintenance, custody, paternity, support or eligible interstate case. (To determine if your case is an eligible interstate case contact the Friend of the Court Office at 269-969-6500)

The next slides will guide you through the process of filling out the page entitled:

Modification of Custody, Parenting Time and Child Support Orders

- 1) Write or type the case number from your court papers in the space provided. Example: 1927-009999-DM
- 2) Write or type the Plaintiff's name, address and telephone number.Write or type the defendant's name, address and telephone number.
- 3) Write or type the name of the Assigned Judge and Assigned Referee.
 Example: Hon. Stephen Miller

		TION TO MODIFY CUSTODY ING TIME AND CHILD SUPPORT	CASE NO.
	Court Address: 161 E. Michigan Ave., Battle Creek, MI 490	14	A Court Telephone: (269) 969-650
В			
/	7	7	
	Intervening Party's name, address and telephone no. movin	ig party	
		Assigned Judge: Hong	
		Assigned Referee:	
С	c 1. \[a. On \]	a-judgment or order was entered re	egarding custody.
/	b. There is no current order for	custody.	
D	D 2. The current custody orders are as finance(s) of child(ren):	ollows:	
	1)	see additional sheet	
_	3)		
	☐ joint legal custody to ☐ joint physical custody to ☐ sole legal custody to ☐ sole physical custody to	plaintiff defendant Intervening plaintiff defendant Intervening plaintiff defendant Intervening plaintiff defendant Intervening	g Party g Party
E	E 3. The children have been living with	at	
	Complete address	since	date
F		oper Cause exists that require a change neet to explain in detail what has happened and attach	

- 4) Check box A or B. By checking box A you are indicating that you have an order entered that requires you to pay current custody. By checking box B you are indicating there is no order currently directing you to pay support.
- 5) List the minor children that the custody order governs. Check the box representing the current custody as indicated in the order.
- 6) State who the children are currently living with. Include the address and the date that they began living at the residence.
- 7) Explain how the circumstances have changed since the current order entered. If you need more space check the box and attach a separate sheet of paper.

î.	STATE OF MICHIGAN	MOTIC	N TO I	ODIFY CUSTODY		CASE NO.
	37 TH JUDICIAL CIRCUIT CALHOUN COUNTY			AND CHILD SUPP		A
	Court Address: 161 E. Michigan Ave.,	Battle Creek, MI 49014				Court Telephone: (269) 969
В	Plaintiff's name, address and telephone r	no. moving par	y v	Defendant's name, address, a	and telephone r	no. moving party
1						
	Intervening Party's name, address and te	elephone no. moving p	arty			
			Assi	gned Judge: Hon.		-
			Assi	ned Referee:		
С	1. a. On		_ a judg	ment or order was e	entered reg	garding custody.
	b. There is no cu					
D	The current custody of Name(s) of child(ren		ows:			
`		t s	_	Jaco additional ab		
	4)			see additional sh	eet	
	2)		_			
`	3)					
	Tigint logal austod	, to 🗆	nlaintiff	□ defendent □ Ir	ton (oning	Dorty
	joint legal custody ignimized joint physical cus			☐ defendant ☐ Ir☐ defendant ☐ Ir☐		
	sole legal custod	y to	plaintiff	defendant I Ir	ntervening	Party
_	sole physical cus	tody to	plaintiff	☐ defendant ☐ Ir	itervening	Party
E	3. The children have be	en living with			at	
	4				since _	
	Complete address					date
F	 Circumstances have see attached page 					
	7					
	M - 1 0044 5 I'''					
	March 2011 Edition					

- 8) Write down exactly what you want the court to order regarding custody and parenting time. If more space is needed check the box and attach a second sheet of paper.
- 9) Sign and date the motion.
- 10) Write or type the name of the assigned Family Division Referee and the date and time of the hearing. Also, include the hearing room in the space provided.

A hearing date can be obtained by calling 969-6500.

	37 TH JUDICIAL CIRCUIT	MOTION TO MODIFY COSTODY	CASE NO.
	CALHOUN COUNTY	PARENTING TIME AND CHILD SUPPORT	
		B-W- O MI 40044	A
	Court Address: 161 E. Michigan Ave.,	Battle Creek, WI 49014	Court Telephone: (269) 969-6500
_		ler custody and parenting time as follows: in in detail what you want the court to order, and attach to this motion. See attach	ached page
	<i>y</i>		
		nild support be set consistent with the Michigan Child S	Support Formula.
	I declare that the a	bove statements are true to the best of my information, know	ledge, and belief.
	H	Moving Party's Signature	
	A hearing will be held on th I atin hearing	NOTICE OF HEARING is motion before or com #, Justice Center, 161 E. Michigan Ave.	on , Battle Creek, MI
		e person receiving this Motion, you may file an Answer	. Please see the

11) This page is used if you need more space than what is provided on page one of the motion. If you do not need more room you may discard. If you do utilize the space for additional information, make sure you sign and date this page.

STATE OF MICHIGAN 37 TH JUDICIAL CIRCUIT CALHOUN COUNTY	MOTION TO MODIFY CUSTODY PARENTING TIME AND CHILD SUPPORT	CASE NO.
Court Address: 161 E Michigan Ave.	Rattle Creek MI 49014	Court Tolophone: (260) 969 6500

Court Telephone: (269) 969-6500

ATTACHMENT TO MOTION

2.Continued from pa	ge	1
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Nan	me(s) of child(ren):	
4) .		
5) .		
3) .		

4.Continued from page 1

5. Continued from page 1

- 12) Write or type the case number from your court papers in the space provided. Example: 1927-009999-DM
- 13) Write or type the Plaintiff's name, address and telephone number.

 Write or type the defendant's name, address and telephone number
- 14) Make copies of your motion form and attachments for yourself, for the other party, and for the Friend of the Court. Go to the Circuit Court Clerk's office in the Calhoun County Justice Center in Battle Creek with the original and a copy of all pages of this form. These must be filed with the Clerk. Payment of the appropriate fees will be expected at the time of filing.
- 15) On the date you mail one copy of all pages to the other party, sign and date the Certificate of Mailing. The date that you sign the Certificate of Mailing must be the date that you served your motion on the other party either by personal service or by mailing. You must then file the certificate of mailing with the **Circuit Court Clerk**.

	STATE OF MICHIGAN			MODIFY CUSTODY	CASE NO.
	CALHOUN COUNTY	PAREIVIIIV	G IIIV	E AND CHILD SUPPORT	A
	Court Address: 161 E. Michigan Ave., I	Battle Creek, MI 49014			Court Telephone: (269) 969-6500
В	Plaintiff's name, address and telephone n	io. moving part	y v	Defendant's name, address, and teleph	none no.
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	Intervening Party's name, address and te	lephone no. moving p	arty		
			As	signed Judge: Hon	
			As	signed Referee:	
		OFP.	TIFIO	ATE OF MAIL INC	
		CER	HFIC	ATE OF MAILING	
					OTICE OF HEARING AND ORDINARY MAIL TO THE
J	Date	Moving Party's	Signatur	е	
/	•				

The next set of slides will guide you through the process of filling out the page entitled:

Answer to Motion to Modify Custody, Parenting Time and Child Support

- 1) Write or type the case number from your court papers in the space provided. Example: 1927-009999-DM
- 2) Write or type the Plaintiff's name, address and telephone number. Write or type the defendant's name, address and telephone number.
- 3) Check box A or B. By checking box A you are indicating that you have an order entered that established custody. By checking box B you are indicating there is no order determining custody.
- 4) List the names and dates of birth for the children. State who the children are currently living with. Include the address and the date that they began living at the residence.

	STATE OF MICHIGAN 37 TH JUDICIAL CIRCUIT CALHOUN COUNTY		OTION TO MODIFY CUSTODY TIME AND CHILD SUPPORT	CASE NO.
	Court Address: 161 E. Michigan Ave.	, Battle Creek, MI 49014	Court	Telephone: (269) 969-6500
3	Plaintiff's name, address and telephone	no.	v Defendant's name, address, and telepho	one no. moving party
_	7		—	
_	Intervening Party's name, address and	telephone no. moving par	ty	
			Assigned Judge: Hon	
			Assigned Referee:	
	C 1. a. On	a judgm	nent or Order was entered regard	ing custody.
		irrent order for cust	ody.	
_				
		Defendant	rening party was ordered to have	custody of the child(ren) as
	follows:			
	follows: E 3. The children have b	een living with		since
	follows: E 3. The children have b Complete agree do no Motion: (Explain in detail	een living withe address t agree that circums		since date cause exists as stated in the
/	follows: E 3. The children have b Complete Complete do no Motion: (Explain in detail See separa	een living witheaddress t agree that circums what you do not agree with te sheet attached.	_at _ _stances have changed or proper o	sincedate cause exists as stated in the arrate sheet if necessary.)
/	follows: E 3. The children have b Complete 4. I agree do no Motion: (Explain in detail See separa) G 5. I ask the court to order, and the court to	een living with e address t agree that circums what you do not agree with te sheet attached. der that custody, pa and attach to this Answer)	atatstances have changed or proper of and why. Include all necessary facts. Use a separate of the separate of th	since date cause exists as stated in the arrate sheet if necessary.) DWS: (Use a separate sheet to explain in det
/	follows: E 3. The children have b Complete 4. I agree do no Motion: (Explain in detail See separa) G 5. I ask the court to order, and the court to	een living with e address t agree that circums what you do not agree with te sheet attached. der that custody, pa and attach to this Answer)	_atatatatatat atat at a	since date cause exists as stated in the arrate sheet if necessary.) DWS: (Use a separate sheet to explain in det

- 5) Check the box that you agree or disagree that the circumstances have changed since the current order entered as stated in the motion.
- 6) Explain the causes that you agree or don't agree with as stated in the motion. If more room is needed check the box and attach a second piece of paper.
- 7) Write down exactly what you want the court to order regarding custody and parenting time. If more space is needed check the box and attach a second sheet of paper.
- 8) Sign and date the motion.

	STATE OF MICHIGAN 37 TH JUDICIAL CIRCUIT		ON TO MODIFY CUSTODY E AND CHILD SUPPORT	CASE NO.
	CALHOUN COUNTY Court Address: 161 E. Michigan Ave.	Battle Creek, MI 49014	Court	A Telephone: (269) 969-6500
В	Plaintiff's name, address and telephone		Defendant's name, address, and telepho	
\	Intervening Party's name, address and	As	signed Judge: Hon signed Referee:	
\backslash				
		urrent order for custody.	or Order was entered regard	
	\			
				_since
_	€ 4. I ☐ agree ☐ do no Motion: (Explain in detal		ces have changed or proper of the changed or proper of the changed or proper of the change of the ch	date cause exists as stated in t
_			ting time, and support as follo ee separate sheet attached.	WS: (Use a separate sheet to expla
	I declare	that the above statements are	true to the best of my information, kno	wledge, and belief.
_	Date	Responding Party's Signatu	ure	

9) This page is used if you need more space than what is provided on page one of the motion. If you do not need more room you may discard. If you do utilize the space for additional information, make sure you sign and date this page.

STATE OF MICHIGAN
37TH JUDICIAL CIRCUIT
CALHOUN COUNTY

ANSWER TO MOTION TO MODIFY CUSTODY
PARENTING TIME AND CHILD SUPPORT
A

Court Address: 161 E. Michigan Ave., Battle Creek, MI 49014

Court Telephone: (269) 969-6500

ATTACHMENT TO ANSWER

4.Continued from page 1.

5. Continued from page 1.

- 10) Write or type the case number from your court papers in the space provided. Example: 1927-009999-DM
- 11) Write or type the Plaintiff's name, address and telephone number. Write or type the defendant's name, address and telephone number.
- 12) Make copies of your **Answer to Motion** form and attachments for yourself, for the other party, and for the Friend of the Court. Go to the Circuit Court Clerk's office in the Battle Creek Justice Center with the original and a copy of all pages of this form. These must be filed with the Clerk.
- 13) On the date you mail one copy of all pages to the other party, sign and date the Proof of Service. The date that you sign the Proof of Service must be the date that you served your motion on the other party either by personal service or by mailing.

	ľ	STATE OF MICHIGAN 37 TH JUDICIAL CIRCUIT		TO MODIFY CUSTODY	CASE NO.
		CALHOUN COUNTY			Α
		Court Address: 161 E. Michigan Ave.	Battle Creek, MI 49014	Court	Telephone: (269) 969-6500
	В	Plaintiff's name, address and telephone	no.	Defendant's name, address, and telepho	ne no.
_					
		Intervening Party's name, address and	elephone no. moving party		
			Assi	gned Judge: Hon.	
			Assi	gned Referee:	
			37		
		r			
			Certif	icate of Mailing	
		☐ I certify that on this Custody, Parenting	date I personally serve	ed a copy of this Answer to on the other party.	Motion for Modification
		☐ I certify that on thi Parenting Time and	s date I mailed a copy Child Support on the oth	of this Answer to Motion for earty.	or Modification of Custod
	1		<i>></i> _		
		Date	Respo	onding party's signature	